IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 16TH NOVEMBER 2007 / 25TH KARTHIKA 1929

OP. No. 3077 of 2000(N)

PETITIONER:

KOOLATH MOIDEEN,
S/O. KAMMAD KUTTY, THIRURANGADI P.O,
MALAPPURAM DISTRICT.

BY ADV. SRI. P. CHADRASEKHAR

RESPONDENTS:
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1. **THE ADDITIONAL DISTRICT MAGISTRATE,**
   MALAPPURAM.

2. **THE ASSISTANT EXECUTIVE ENGINEER,**
   ELECTRICAL MAJOR SECTION,
   KERALA STATE ELECTRICITY BOARD,
   TIRURANGADI.

3. **SRI. UMMER KOORIYADAN, S/O. MOIDU,**
   T.C. ROAD, TIRURANGADI, MALAPPURAM DISTRICT.

BY ADV. SRI. K.M. SATHYANATHA MENON

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 16/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP. No. 3077/2000(N)

Order on C.M.P. No. 4977/2000 in OP. No. 3077/2000

Dismissed.

16.11.2007 Sd/- KURIAN JOSEPH, JUDGE.

A P P E N D I X

PETITIONER'S EXHIBITS:

EXT. P1	**:**	**COPY OF THE PLAN SHOWING THE ELECTRIC LINE.**
EXT. P2	**:**	**COPY OF THE REPORT NO. 453/99 DATED 12.10.99 SUBMITTED BY THE VILLAGE OFFICER, TIRURANGADI ALONG WITH PLAN.**
EXT. P3	**:**	**COPY OF THE ORDER NO. E3.56117/98 DATED 12.1.2000 ISSUED BY THE 1ST RESPONDENT.**

// True Copy //

P.A. to Judge.

smp

KURIAN JOSEPH, J.

O.P. NO. 3077 OF 2000

Dated this the 16th day of November, 2007.

J U D G M E N T

Petitioner approached this Court aggrieved by Exhibit P3 order passed by the District Magistrate in the matter of drawing of an electric line. There is also a prayer for directing the second respondent to remove the electric line.

2. Since the line has already been drawn, the remedy open to the petitioner is to approach the District Magistrate under Section 17 of the Indian Telegraph Act, 1885 for shifting the line. In the event of such an attempt being made by the petitioner, the matter will be duly considered by the District Magistrate with notice to the affected parties also and appropriate action in accordance with law in the matter will be taken within a period of another four months.

This original petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp

KURIAN JOSEPH, J.

O.P. NO. 3077 OF 2000

J U D G M E N T

16.11.2007